

1 Joseph E. Walsh, Jr. (*admitted pro hac vice*)
jwalsh@hdp.com
2 Rudolph A. Telscher (*admitted pro hac vice*)
rtelscher@hdp.com
3 Douglas A. Robinson (*admitted pro hac vice*)
drobinson@hdp.com
4 HARNESS DICKEY & PIERCE, P.L.C.
7700 Bonhomme, Suite 400
5 St. Louis, MO 63105
Tel: (314) 726-7500; Fax: (314) 726-7501
6

7 Philip J. Wang, Bar No. 218349
phil@philwanglaw.com
The Law Office of Philip J. Wang
8 160 Bovet Road, Suite 310
San Mateo, CA 94402-3100
9 Tel: (650)521-9020

10 ***Attorneys for Emerging Markets Communications,***
11 ***Inc. and EMC Satcom Technologies, LLC***

12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 APPLIED SIGNAL TECHNOLOGY, INC.

17 Plaintiff,

18 vs.

19 EMERGING MARKETS COMMUNICATIONS,
20 INC., EMC SATCOM TECHNOLOGIES, INC.,
PARADISE DATACOM, LLC, and VIASAT,
INC.,

21 Defendants.
22

23 AND RELATED COUNTERCLAIMS AND
24 THIRD PARTY CLAIMS

Case No. 09-CV-02180-SBA

JOINT STATUS REPORT ON THE
PROGRESS OF SETTLEMENT
BETWEEN APPLIED SIGNAL,
COMTECH EF DATA, EMERGING
MARKETS COMMUNICATIONS, AND
EMC SATCOM TECHNOLOGIES, AND
REQUEST FOR EXTENSION OF
RELIEF FROM THE CASE
MANAGEMENT SCHEDULING
CONFERENCE ORDER

25 Pursuant to the Joint Status Report dated April 18, 2011 (Dkt. No. 232),
26 defendants Emerging Markets Communications, Inc., and EMC Satcom Technologies,

1 Inc. (collectively “EMC”), plaintiff and counter-defendant Applied Signal Technology,
2 Inc. (“AST”), third-party defendant Comtech EF Data Corp. (“Comtech”), submit this
3 joint status report on the progress of settlement.

4 As previously reported to the Court, AST, Comtech, and EMC agreed at the
5 settlement conference before Magistrate Judge Zimmerman to settle their dispute. The
6 parties have exchanged written draft settlement license proposals and are in general
7 agreement on many license terms, though a limited number of related terms are still
8 subject to ongoing negotiation.

9 On April 18, 2011, the parties filed a Joint Status Report requesting additional
10 time to finalize their settlement to April 28, 2011. The Court has not entered an Order
11 regarding this request. However, due to a number of factors, including the many unusual
12 and customized provisions being negotiated, the parties continue to work diligently to
13 finalize their agreement, and only a limited number of closely-related license terms
14 remain to be finalized. The parties firmly believe they are very close to having the
15 settlement finalized. The parties have also discussed the possibility of seeking the
16 assistance of the Court in arranging for another settlement conference with a Magistrate
17 Judge to aid the parties in addressing the remaining issues, though the parties remain
18 optimistic that that they will be able to reach a settlement. As such, the parties
19 respectfully and jointly stipulate and request that the Court extend the stipulated April 28,
20 2011 date for a period of fourteen (14) days to May 12, 2011. The parties will continue
21 to work diligently during this time to finalize their settlement license agreement, which
22 the parties continue to expect will result in the dismissal of the EMC entities from this
23 litigation.

1 Date: April 28, 2011

HARNESS, DICKEY & PIERCE, PLC

2
3 /s/ Douglas A. Robinson

4 Douglas A. Robinson

5 ATTORNEYS FOR DEFENDANTS

6 EMERGING MARKETS

COMMUNICATIONS, INC. and EMC

SATCOM TECHNOLOGIES, INC.

7 Date: April 28, 2011

SANDERS & PARKS P.C.

8
9 /s/ Rick N. Bryson

10 Rick N. Bryson

11 ATTORNEYS FOR PLAINTIFF/

12 COUNTER-DEFENDANT APPLIED

13 SIGNAL TECHNOLOGY AND THIRD-

PARTY DEFENDANT COMTECH EF

14 DATA CORP.

DECLARATION OF CONSENT

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Rick Bryson.

Date: April 28, 2011

HARNESS, DICKEY & PIERCE, PLC

/s/ Douglas A. Robinson
Douglas A. Robinson
ATTORNEYS FOR DEFENDANTS
EMERGING MARKETS
COMMUNICATIONS, INC. and EMC
SATCOM TECHNOLOGIES, INC.

ORDER

Pursuant to stipulation, it is hereby ordered that the Court's March 18, 2011 order (Dkt. No. 228) granting relief from the Case Management Conference Scheduling Order is extended an additional 7 days from the parties' stipulated date of April 28, 2011 to May 12, 2011. Plaintiff Applied Signal Technology, Inc. shall file a notice of dismissal, or a joint status report with EMC on the progress of settlement, by May 6, 2011.

Dated: 5/2/11



SAUNDRA BROWN ARMSTRONG
JUDGE, UNITED STATES DISTRICT COURT

60807811